

H

**BEFORE THE
BOARD OF PODIATRIC MEDICINE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Suspension Order)
Issued Against:)

Case No. 1B-2003-151913

THUAN MOC LUU, D.P.M.)
)

Podiatric Certificate No. E-3961)
)

Respondent)
_____)

SUSPENSION ORDER

On November 24, 2003, a suspension Order was issued by the Superior Court of California, County of Santa Clara, Case # CC333958, against Thuan Moc Luu, D.P.M., pursuant to Penal Code section 23. This suspension is effective as of November 24, 2003. This Order states that Dr. Luu is suspended from practice of chiropractic and podiatry.

BOARD OF PODIATRIC MEDICINE



JAMES RATHLESBERGER
Executive Officer

PAGE 02

LA SAN JOSE FAC
190 W. HEDDING STREET
SAN JOSE, CA 95110
PEOPLE VS. THUAN MOC LUU
K.A. 186 SUMMER WIND DR
MILPITAS, CA 95035
JUDGE HON. JEROME S. NADLER
REPORTER K LLOYD
EF. ATTY.
HARGES F(002)BF2052(B) D.A. Hunt

DATE 11/24/2003 9:31 AM DEPT. 23
12/10/1963 CAA7785847
CLERK ~~E PROLLER/S WALKER~~ *Signa* DT 0753 M
HEARING ARRAIGNMENT
AGENCY CN-OTHER-309 -SANDRI
STATUS I-SET -500000 TW
APO

VIOLATION DATE
06/26/2003

11-26-03 2:00 D23

NEXT APPEARANCE

☒ Defendant Present ☐ Not Present
☒ WFA ☐ Arr'd ☐ Amended complt
☒ PC977 Walver ☐ Filed ☐ On file
☐ NG ☐ Entered by CRT ☐ NGBRI / Adv
☐ Prior / Allegations / Enhancements Denied
☐ TW ☐ TNW ☐ TW / WD ☐ for Sent
☐ Ref / Appt PD / ADO ☐ Conflict Decl
☐ Relieved ☐ Appt'd
☒ Hrg on Motion Bail Reduction
☒ Granted ☐ Den ☐ Subm ☐ OC
☐ Drs. Appointed
☐ Prelim Waived ☐ Certified to General Jurisdiction ☐ MDA / COM Amended to

☒ Atty Present Dalmo, Jason (gm)
☐ Arr ☒ Plea ☐ IDC ☐ Prob / Sent
☐ Bail / OR / SORP ☐ Rect Dr Rpt ☐ FAR
☐ PSet ☐ Prelim ☐ PTC ☐ S/B MTC
☐ Further ☐ Jury ☐ CT ☐ Peo/Def Wav Jury
☐ Proof of
☐ Ref'd
☐ Crim Proc Susp ☐ Rein
☐ Doubt Decl Pursuant PC 1368
☐ Subm on rept ☐ Found
☐ Max Term ☐ Committed

☐ Interp
☐ Pretrial Services to Contact Gateway for Assm't
☐ Bail Reinstated ☐ Bail Exonerated
☐ Forfeited Bond #
☐ Reassumption Filed ☐ Forfeiture Set Aside
☐ \$ Costs Within 30 Days to Court
☐ SORP / OR ☐ Revoked ☐ Reinstated
☐ BW Ordered \$
☐ BW Set Aside ☐ Recalled ☐ To Issue
 Other: Andrew David Young
Sworn + examined on

PLEA Conditions:

PLEA Conditions: ☐ None ☐ No State Prison ☐ PC17 after 1 Yr Prob ☐ Includes VOP behalf of the Defense
☐ Jail / Prison Term of _____
☐ Dismissal / Striking _____ ☐ Subm time of sent _____
☐ Adv ☐ Max Pen ☐ Parole/Probation ☐ Appeal ☐ Immig ☐ Reg PC290/HS11590/PC457.1/PC186.30 ☐ Future serious felony prior ☐ PC12021 (gun)
☐ Waives Constit Rights ☐ Written Waiver filed ☐ **PC17 REDUCTION** ☐ Waives Arbuckle ☐ Harvey Stip _____
☐ **COP PLEADS** ☐ **GUILTY** ☐ **NOLO CONTENDERE** to charges & admits enhs/priors (see below) ☐ Factual Basis found ☐ Findings stated
☐ Notice of Eligibility Filed ☐ DEJ Granted ☐ Rpt to DADS ☐ DEJ Rein ☐ DEJ Term ☐ Guilty Plea Rendered
☐ Waives Referral ☐ Ref'd to APO Full Rpt ☐ **PROBATION DENIED** **FINES/FEES:** PAY TO ☐ Ref to DOR ☐ COURT
☐ Sentenced to _____ State Prison/County Jail ☐ Sent Suspended _____ **COUNT** \$ _____ + PA \$ _____ ☐ Purs HS11350d

PROBATION

PROBATION ☐ Execution ☐ Imposition of sentence suspended for probation period
☐ COURT ☐ FORMAL PROBATION GRANTED for _____ Days / Mos / Yrs.
☐ Report to APO within _____ Days ☐ Upon Release ☐ Terminated
☐ Communit Altern Program ☐ Perform _____ hrs Volunteer Work
☐ Submit Search / Testing ☐ Educ / Voc Trng / Empl
☐ Not drive w/o valid DL & Ins ☐ DVPO issued / mod / term Exp _____
☐ Not own/possess deadly weapons ☐ Weapon ordered destroyed _____
☐ No contact w/victim or family / co-defts unless appr by APO ☐ PC1202.05
☐ No alcohol / drugs or where sold ☐ Restitution _____
☐ Substance abuse, Domestic Violence, Psychological, Parenting cnsl / prgm
☐ PC296 (DNA) ☐ PC1202.1 (Aids Testing) ☐ Aids Education Program
 Other: -

COUNT _____ \$ _____ + PA \$ _____
 DPF / AIDS \$ _____ + PA \$ _____
 DRF / RF \$ _____ Add'l RF\$ _____ Susp'd PC1202.45
 DEJ \$ _____ **CTS PC 2900.5** \$ _____
 AEF \$ _____ **TOTAL DUE** \$ _____
 ADPA \$ _____ ☐ Committed @ \$ _____ / Day
 LAB \$ _____ ☐ Consec/Conc to _____
 NC \$ _____ ☐ Payments Granted / Modified
 ASF / CPF \$ _____ \$ _____ / Mo beginning _____
 AR \$ _____ ☐ FINE STAYED
 SHELTER \$ _____ ☐ Fine Deemed Satisfied ☐ Commuted
 DV \$ _____ ☐ Vol Wk _____ Hrs In Lieu of Fine

***OP:** ☐ Arr'd VOP ☐ Admits/Denies Violation ☐ Court Finds VOP / No VOP
☐ Prob ReIn / Mod / Term / Revoked / Remains Revoked / Ext to _____
☐ Original Terms & Conditions Except as Amended Herein
☐ Indefinite / Indeterminate / Indefinite with _____ ☐ No Further Penalties

AIL/PRISON

AIL/PRISON						<input type="checkbox"/> See Attachm't Pg for Add'l Orders, Charges, PC1385 Reasons	<input type="checkbox"/> Referred to VWAG	<input type="checkbox"/> As Determined APO / CRT
Count	F/M	Violation	Prison Term / Yrs	Enhancement / Priors	Yrs / Styd / Strkn	County Jail		
*	Bail to be posted \$200,000 as a condition of Corp Release + conditions filed.							
Enhancement	Yrs/S	Enhancement	Yrs/S	Enhancement	Yrs/S	Enhancement	Total	
							/	

*S= _____ ACT+ _____ ☐ PC4019 ☐ PC2933.1 = _____ TOTAL DAYS TOTAL TERM _____
Straight time ☐ WWP ☐ PC1209 Fees ☐ Waived ☐ Court Rec _____ ☐ Except ☐ EMP/PSP/WF/ERP/DRP/Co Parole/NP
☐ Sent Deemed Srvd ☐ Rpt to Local Parole ☐ Adv of _____ Yrs Parole/Appeal Rights ☐ Consec ☐ Conc to _____
☐ Bal CJ Susp ☐ All but _____ Days/Mos ☐ On Cond Complete Residential Treatment Prgm ☐ Serve Consec MO/TU/WE/TH/FR/SA/SU
☐ Pre-process _____ AM/PM ☐ Stay/Surrender Transport to _____ @ _____ AM/PM or Sooner

☒ REMANDED-BAIL \$ 5000 ☐ NO BAIL ☐ COMMITTED ☐ RELEASED ☐ OR ☐ SORP ☐ DOC TO CONTACT JAC FOR ASSM'T
☐ AS COND OF SORP ☒ BAIL INCREASED (REDUCED) ☐ TO PRGM AS REC BY JAC-DOC TO TRANSPORT FOR BALANCE OF JAIL

DISTRIBUTION: BLACK - FILE COPY. GREEN - DOC. BLUE - LIO. WHITE - INFORMATION. OTHER - OTHER.

THE FOREGOING INSTRUMENT IS
A CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE
ATTEST: KIRI TORRE

DEC 17 2003

CHIEF EXECUTIVE OFFICER/CLERK
SUPERIOR COURT OF CA COUNTY OF SANTA CLARA
IN AND FOR THE COUNTY OF SANTA CLARA
BY _____ DEPUTY



S. Aleman

☒ San Jose Facility
200 W. Hedding Street
San Jose, CA 95110

☐ Court Annex Facility
115 Terraine St.
San Jose, CA 95113

☐ Palo Alto Facility
270 Grant Avenue
Palo Alto, CA 94306

☐ Sunnyvale Facility
605 El Camino Real
Sunnyvale, CA 94087

☐ South County Facility
12425 Monterey Road
San Martin, CA 95046

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
RELEASE ON: SUPERVISED OWN RECOGNIZANCE
Section 1318 - 1320 Penal Code of the State of California

County of Santa Clara, Office of Pretrial Services
70 W. Hedding Street, West Wing, 1st Floor, Room 130
San Jose, CA 95110 - (408) 299-4091, FAX (408) 299-4553

THE PEOPLE OF THE STATE OF CALIFORNIA,

PLAINTIFF,

VS.

CEN: 03536131

DOCKET: CC333958

CHARGES:

(1) BP 2052 B

DEFENDANT

(3)

(4)

D-2

I, the undersigned defendant, agree to appear in the above entitled Court on 11/26/03 at 2 and at all times and places ordered by the Court or magistrate releasing me and as ordered by the magistrate before whom the charge is subsequently pending. If I fail to appear and am apprehended outside the State of California, I hereby waive extradition. I understand that any court or magistrate of competent jurisdiction may revoke the order of my release hereunder, at any time, and commit me to actual custody, unless I give bail or other security as may be required.

I shall comply with the following GENERAL conditions of release as required by the Court:

1. Report as required by the Office of Pretrial Services.
2. Remain in Santa Clara County unless granted permission to leave by the Office of Pretrial Services.
3. Report any change of address, telephone, or employment status immediately to the Office of Pretrial Services.
4. Not violate any State or Federal laws.
5. Call the Office of Pretrial Services on 11/25/03 at (408) 299-4091 between the hours of 3-5 p.m. for officer assignment.

The defendant is ordered to comply with the following SPECIAL conditions of release, under the direction of the Office of Pretrial Services, as ordered by the Court:

- ☐ 6. Not use or possess any illegal drugs/alcohol.
- ☐ 7. Submit to drug/alcohol testing, and pay all fees, at the direction of Pretrial Services.
- ☐ 8. Participate in drug/alcohol/psychological counseling at the direction of Pretrial Services.
- ☐ 9. Permit search and seizure of his/her person, residence, and vehicle by any peace officer without a search warrant.
- ☐ 10. Not operate a motor vehicle without a valid California driver's license and proof of insurance.
- ☐ 11. Not possess any weapons while this case is pending.
- ☒ 12. Not molest, attack, strike, threaten, sexually assault, batter or otherwise disturb the peace of the following person(s) named as victim(s) and/or witness(es) in the above-entitled matter: All listed Victims & any
- ☒ 13. Have no contact yourself or through another with the above-named person(s) except in compliance with any Superior Court orders or as authorized by the Pretrial Services Officer. This means you shall not have any form of contact including, but not limited to, any of the following:
 - telephoning the above-named person(s) either at their workplace, residence, school or place of childcare.
 - going within one hundred (100) yards of their person, workplace, residence, school or place of childcare.
 - harassing the person(s) in any way, including, but not limited to: following, hand gestures, letter writing, or name calling.
- ☐ 14. Reside at _____ unless granted permission to live elsewhere by the Court or Pretrial Services.
- ☒ 15. Post 200K Bail - Not engage in chiropractic or podiatry - Surrender passport to Pretrial Services

FULLY UNDERSTAND VIOLATION OF THIS ORDER IS A MISDEMEANOR, PURSUANT TO PENAL CODE SECTION 166.4 PUNISHABLE BY UP TO SIX MONTHS IN JAIL, A \$1,000 FINE, OR BOTH. THIS ORDER SHALL BE ENFORCED BY ALL LAW ENFORCEMENT OFFICERS IN THE STATE OF CALIFORNIA. I ALSO UNDERSTAND THAT MY FAILURE TO APPEAR IN COURT, AS AGREED HEREIN, WILL RESULT IN MY BEING CHARGED WITH AN ADDITIONAL FELONY OR MISDEMEANOR VIOLATION, AS THE CASE MAY BE, FOR FAILURE TO APPEAR ON MY OWN RECOGNIZANCE.

Signed this 24 day of NOV, 03

Date

month

year

Defendant's signature

ORDER FOR RELEASE

The above-named defendant having executed the foregoing, and good cause being shown, it is hereby ordered that the defendant be released from custody on his/her own recognizance subject to conditions set forth above.

Dated this 24 day of NOV, 03

Pretrial Services Officer: TLC

[Signature] Superior Court Judge

☐ Commissioner

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ON FILE IN THIS OFFICE

ATTEST: KIRI TORRE

DEC 17 2003

CHIEF EXECUTIVE OFFICER/CLERK
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
BY [Signature] DEPUTY



B. Aleman